

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DENTSPLY SIRONA INC.	:	Civil No. 1:17:CV-01530
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
NET32, INC.,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 4th day of March, 2020, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED AS FOLLOWS:**

1. The Defendant's motion to dismiss and/or strike the amended complaint (Doc. 81) is **GRANTED IN PART AND DENIED IN PART**.
2. The motion to dismiss is **DENIED** with respect to Counts I and II of the amended complaint.
3. The motion to dismiss is **GRANTED** with respect to Count III of the amended complaint.
4. The motion to strike portions of the amended complaint's prayer for relief is **GRANTED**. The portions of the prayer for relief that relate to genuine Dentsply products are **STRICKEN** from the amended complaint. The amended complaint's prayer for relief, *see* Doc. 80 at 45–50, shall pertain

solely to non-genuine Dentsply products, i.e., materially different gray market goods or goods intended for sale only outside the United States.

s/Jennifer P. Wilson

JENNIFER P. WILSON

United States District Court Judge

Middle District of Pennsylvania